

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

RUTH SMITH, individually and on behalf of all
others similarly situated,

Plaintiff,

v.

SUNPATH, LTD., a Massachusetts corporation,

Defendant.

Case No. 1:22-cv-00081-LMB-WEF

PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT
WITH RESPECT TO COUNT II OF HER COMPLAINT

Plaintiff Ruth Smith ("Plaintiff"), by and through her counsel, respectfully moves this Court pursuant to Fed. R. Civ. P. 56 for entry of summary judgment in favor of Plaintiff with respect to Count II of her Complaint. The grounds for this Motion are set forth more fully in the memorandum in support of this motion, filed herewith.

In accordance with Local Rule 7(E), Plaintiff certifies that she conferred with SunPath regarding the requested relief. SunPath does not consent to the requested relief.

Dated: January 6, 2023

RUTH SMITH,

By: /s/ Francis J. Driscoll, Jr.
One of Plaintiff's Attorneys

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Attorneys for Plaintiff

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above titled document was served upon counsel of record by filing such papers via the Court's ECF system on January 6, 2023.

/s/ Francis J. Driscoll, Jr.